

**Second Amended Report and Final Account of Administrator, Petition for
Distribution of Personal Property upon Waiver of Accounting: Allowance of Fees
for Attorney and Closing an Insolvent Estate**

DOD: 01/26/04		ANTONETTE FREGOSO , Administrator, is petitioner. Accounting is waived. I & A - \$264,250.00 POH - \$ 1,500.00 Administrator - waives Attorney - \$4,099.00 (less than statutory) Petitioner prays for an Order: 1. Approving, allowing and settling the 2 nd Amended Report and Final Distribution 2. Authorize Petitioner to pay her attorney \$4,099.00 for her statutory fees 3. Authorize Petitioner to pay former attorney Cynthia Arroyo the amount of \$1,164.00 in costs advanced.	NEEDS/PROBLEMS/COMMENTS: Continued from 1/22/14. Minute order states the Court will entertain a petition to distribute and close the estate with the necessary release(s). There have been approximately 22 hearings to close this estate and as of 2/27/14 nothing additional has been filed addressing the issues raised below. 1. Petition states the decedent's 1997 Buick was distributed to Christina. Property of the estate cannot be distributed prior to creditor's being satisfied.
Cont. from 091013, 102413, 012214			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail w/o		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters 6/15/04		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Reviewed by: KT
Reviewed on: 2/28/14
Updates:
Recommendation:
File 1 – Canales

Petition states all other beneficiaries have filed waivers of accounting of administrator and acceptance of \$10,000 as their full beneficial interest in the estate on 6/6/11. Because of the EDD their beneficial interest could not be distributed from the estate. All the funds, except administration and attorney fees, had to be paid to the mortgage on the "J" Street property, or the EDD would not allow the partial release of the lien to allow the "J" Street property to be sold. Since there was no money remaining after the payment of title fees, costs, attorney fees and property taxes, the Personal Representative took \$20,000 from her own retirement funds and paid all other beneficiaries \$5,000.00 each. Kristina received the 1997 Buick Bonneville with the value of \$5,000.00. All beneficiaries have signed an assignment of their share of the "J" Street property to the petitioner. Petitioner has used this property as collateral to acquire enough money to pay off the "I" Street property's mortgage, back property taxes, and other debts of the decedent. Petitioner is still making payments on these loans.

Examiner notes: the personal representative could have petitioned the court for authority to purchase the real property of the estate, however in this case the personal representative did not.

Petition for Final Distribution on Waiver of Accounting

[illegible]

DOD: 10-11-04		<p>MALKIA DILLARD, Administrator with Full IAEA without bond, is Petitioner. Petitioner states she is the sole heir and waives accounting.</p> <p>I&A: \$42,565.84 POH: \$0</p> <p>Administrator (Statutory): Waived Attorney (Statutory): Waived</p> <p>Petitioner states the creditor's claim in the amount of \$24.32 filed by the Revenue Reimbursement Division of the City of Fresno on 12-5-06 was paid from Petitioner's personal funds.</p> <p>Petitioner states all of the assets of the decedent were under \$43,000.00. The assets consisted of bank accounts and an investment account which were transferred prior to the decedent's death to either joint tenancy or solely in the name of a local attorney. One of those assets involved the sale by the attorney of stock which resulted in IRS assessing more than \$25,000.00 in taxes. As a result the IRS levied against the bank accounts of the decedent in 2006 after his death. The Administrator filed a lawsuit against said attorney which resulted in settlement and payment of the assets directly to Petitioner as the decedent's daughter (contents of a safe deposit box) in addition to a \$3,000.00 settlement. Receipt filed 11-3-08.</p> <p>Petitioner states during administration, counsel for petition was also able to obtain a full refund from the IRS in the approximate amount of \$29,000.00 on a levy mentioned above. The refund was paid directly to Petitioner as the sole heir by the IRS.</p> <p>Petitioner states the entire value of assets listed on the I&A (\$42,565.84) was paid directly to Petitioner and an ex parte petition to terminate the probate was sought since no assets came into the estate, but it was denied.</p> <p>Petitioner requests that: 1) Administration be brought to a close without accounting; 2) All acts and proceedings of Petitioner as personal representative be confirmed and approved; 3) That the waiver of statutory attorney fees and commissions be approved; 4) That payment of the decedent's assets directly to Petitioner as a result of the lawsuit and IRS refund be approved; 5) That distribution of any other property not now known or discovered be made to Petitioner as sole survivor of the decedent; and 6) that any further orders be made as the Court considers proper.</p>
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	X	
Aff.Mail	X	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
✓ Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202	X	
Order	X	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

NEEDS/PROBLEMS/ COMMENTS:
See Page 2.
Reviewed by: skc
Reviewed on: 3-3-14
Updates:
Recommendation:
File 3C – Gainous

NEEDS/PROBLEMS/COMMENTS:

1. The Court may also require clarification as to the Administrator's failure to close the estate within a reasonable time frame.
2. Although I&A includes total assets of \$42,565.84, Petitioner now states that no assets were received into the estate: The \$3,000.00 settlement, the \$29,000.00 IRS refund, and the contents of the safe deposit box were paid directly to the Petitioner. However, this does not account for the other assets inventoried (cash accounts totaling over \$10,000.00) and further appears to be an inappropriate and unauthorized distribution, since the estate was opened in order to pursue the assets, and once received, should have been received by the estate.

Need authority for receipt outside of the estate.

3. Regardless of what is on hand at the present time, the estate did recover assets that were distributed, appropriately or not, to the Petitioner as the sole heir. Therefore, the filing fee for this final petition of \$435 is due.
4. Receipt filed 11-3-08 indicates receipt of various personal property items that were not inventoried or valued, including jewelry, antique coins, other). Personal property must be appraised by the probate referee. Probate Code §8900 et seq.
5. Need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing pursuant to Probate Code §1252 and Request for Special Notice filed 12-8-06 on County of Fresno Revenue Reimbursement Division.
6. Petitioner States the creditor's claim of \$24.32 was paid from her own personal funds; however, no allowance was filed by the petitioner, and no withdrawal was filed by the claimant (County of Fresno).
7. Petitioner does not address notice to the Director of Health Care Services pursuant to Probate Code §9202(a). If notice was required but not completed, continuance for proper notice and time for response is necessary. DHS has four months to respond.
8. Need order.

		NEEDS/PROBLEMS/COMMENTS: CONFIDENTIAL
Cont. from 012214		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 3-3-14
		Updates:
		Recommendation:
		File 3B – Gainous

Atty Marshall, Jared C (for Diana Rodrigues conservator of the person and Robert Chrest former conservator of the estate.

Atty Helon, Marvin (attorney for the Conservatee)

Atty Kruthers, Heather H (for the Public Guardian/conservator of the estate)

Petition for Order Fixing and Allowing Attorney's Fees and Costs

			STEVEN M. MATLAK , attorney for DIANA RODRIGUES , conservator of the estate and ROBERT CHREST , former conservator of the estate, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
			PUBLIC GUARDIAN is successor conservator of the estate.	
Cont. from			Inventory and Appraisal filed on 10/28/14 shows the estate valued at \$155,947.26.	
	Aff.Sub.Wit.			
✓	Verified		Petitioner states he provided services to Diana Rodrigues and Robert Chrest in their request to have a conservatorship established.	
	Inventory			
	PTC		Petitioner asks that he be paid from the conservatorship estate \$12,000.00 (reduced from \$16,150.87)	
	Not.Cred.			
✓	Notice of Hrg		Services are itemized by date and include preparation of documents, defending objections to the petition for appointment, and court appearances.	
✓	Aff.Mail	W/		
	Aff.Pub.		In addition petitioner requests reimbursement of costs totaling \$950.50 (postage for more than 12 persons, filing fees and process server).	
	Sp.Ntc.			
	Pers.Serv.		Reviewed by: KT	
	Conf. Screen			
	Letters		Reviewed on: 2/28/14	
	Duties/Supp		Updates:	
	Objections		Recommendation:	
	Video Receipt		File 4 – Chrest	
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

(1) Report of Administrator of Insolvent Estate and (2) Request for Dismissal of Estate and for Final Discharge [Prob. C. 11600]

DOD: 01/15/09		PUBLIC ADMINISTRATOR , Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner states:	<p>CONTINUED FROM 12/04/13 Minute Order from 12/04/13 states: The Court finds that notice was provided to the Franchise Tax Board. The Court directs that notice be provided to the Department of Health Care Services.</p> <p>Note: Notice of Hearing filed 12/11/13 states that Notice of Hearing with a copy of the Petition was mailed to the Dept. of Health Care Services on 12/11/13.</p>
Cont. from 120413		<ol style="list-style-type: none"> Petitioner was appointed Administrator by the Court per Minute Order dated 09/23/13. The Decedent died on 01/15/09. Petitioner was not provided with decedent's address. According to the Court file and docket, notice to creditors was duly given, published and filed as prescribed by law. No creditor's claims are reflected on the docket. No Inventory & Appraisal was filed. The original petitioner, decedent's son, Joe Hogg, reported that before the decedent died she told him that she had an IRA that they were beneficiaries of. He reported that he believed his brother, Demetrius Augman, cashed out the IRA and divided the money between himself and his aunt. Mr. Hogg reported that she had an IRA at the IRS and several naval bases. The IRS reported that they were not able to provide any information. The only way an IRA could be cashed out was by the listed beneficiary. The Veterans Administration reported no IRA's for the decedent. Decedent's son Demetrius Augman denied knowing anything about an IRA. He stated that his brother, Joe Hogg, had complete control of all the mail and the decedent's personal effects. He reported that Joe would know of an IRA. Mr. Hogg reported to Petitioner that he remembered seeing something referencing an IRA a long time ago, but doesn't know where the information is currently. He also reported that there was a bank account and the monies had been distributed. He stated that the family was the beneficiary of the bank account. It appears that if there had been any assets, they were payable on death, and so not subject to probate administration. No assets were ever marshaled. 	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory n/a		
<input type="checkbox"/>	PTC n/a		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail w/		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters 09/23/13		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice	<p>Petitioner prays for an Order:</p> <ol style="list-style-type: none"> Settling, allowing and approving the final report as filed, and confirming and approving all acts of Administrator; Dismissing the administration of this estate; Discharging Petitioner as administrator. 	

Reviewed by: JF

Reviewed on: 02/28/14

Updates:

Recommendation:

File 5 – Crenshaw

(1) Waiver of Accounting and Report of Administrator and Petition for Its Settlement; (2) Waiver of Administrator's Commissions; (3) for Allowance of Attorney's Fees for Ordinary Services, and (4) for Final Distribution [Prob. C. 10810, 10811, 10954 & 11640]

DOD: 11-14-12		<p>BERNICE BALLESTEROZ, Spouse and Administrator with Full IAEA without bond, is Petitioner.</p> <p>Accounting is waived.</p> <p>I&A: \$281,849.95 POH: \$287,451.44 (cash)</p> <p>Administrator (Statutory): Waived</p> <p>Attorney (Statutory): \$8,749.00</p> <p>Distribution pursuant to intestate succession and Assignment of Interest filed 3-13-13:</p> <p>Bernice Ballesteroz: \$278,702.44</p> <p>Status Report filed 11-1-13 by Attorney Bagdasarian requests continuance of 120 days due to the time anticipated for communications with the IRS and the upcoming holiday period.</p> <p>Status Report filed 2-24-14 by Attorney Bagdasarian states the Administrator, through her CPA, filed with the IRS what she believes to be all the required prior income tax returns and paid the tax due in October 2013. There is a potential for the requirement of additional interest or penalties, however, there also requests for refunds for certain tax years. The CPA reports that after several requests of the IRS, she was notified on or about 1-22-14, some three months after mailing of the returns, that the return were just docketed. Consequently a continuance of three months is requested.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 9-3-13, 11-5-13</u></p> <p>Minute Order 11-5-13: Counsel requests a continuance. Matter continued to 3-5-14. Status hearing re Receipt for Preliminary Distribution set for 3-5-14.</p> <p>Note: IRS filed a Creditor's Claim for \$65,018.74 and a Request for Special Notice on 8-29-13. The Creditor's Claim indicates tax liens for the decedent for various amounts, plus interest, going back to 2001.</p> <p>Note: Need revised order taking into account the preliminary distribution.</p>	
Cont. from 090313, 110513				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input checked="" type="checkbox"/>	PTC			
<input checked="" type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			4-11-13
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input checked="" type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input checked="" type="checkbox"/>	FTB Notice			

Petition for an Order Approving Extraordinary Commissions for the Public Administrator

DOD: 3/20/13		PUBLIC ADMINISTRATOR/ADMINISTRATOR of the Estate is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner states he was appointed as Administrator of the estate under Probate Code 7660.	1. Need order
Cont. from		In the course of the administration of the estate the Public Administrator's office has performed extraordinary services regarding the sale of the Decedent's real property. Pursuant to Local Rule 7.18(B)(1) the reasonable fee for such services is \$1,000.00.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	In addition, petitioner filed the First and Final Fiduciary tax return for this estate. The reasonable value of such services is \$248.00.	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Therefore, Petitioner prays for an Order that:	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	The Court authorize payment to the Fresno County Public Administrator of \$1,248.00 as reasonable compensation for extraordinary services to the estate.	
<input checked="" type="checkbox"/>	Aff.Mail W/		
<input type="checkbox"/>	Aff.Pub.		
<input checked="" type="checkbox"/>	Sp.Ntc. W/		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order X		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 2/28/14
			Updates:
			Recommendation:
			File 7 – Burton

Petition for Termination of Further Proceedings and Discharge of the Personal Representative

DOD: 4/22/13	ERIC SCHLOEN , petitioner, was appointed Special Administrator without bond. Letters expired 1/17/14.	NEEDS/PROBLEMS/COMMENTS:
Cont. from	<i>Petitioner was appointed Special Administrator for the limited purpose of obtaining Medi-Cal benefits for the decedent to settle medical bills incurred by decedent prior to his death. Petitioner is an agent of hospital where decedent died.</i>	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	I & A - waived per order appointing special administrator.	
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input type="checkbox"/> Aff.Pub.	Petitioner states he performed all duties necessary as special administrator as he obtained health benefits for the decedent, the estate has no assets and there is no longer a need for a special administrator.	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections	Petitioner Prays for an Order:	
<input type="checkbox"/> Video Receipt	1) Terminating the administration of the estate and discharging the Special Administrator.	
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		Reviewed by: KT
<input type="checkbox"/> Status Rpt		Reviewed on: 2/28/14
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation: SUBMITTED
<input type="checkbox"/> FTB Notice		File 8 – Herrera

(1) Waiver of Accounting and Petition for Final Distribution Will and (2) for Allowance of Statutory Attorney's Fees

DOD: 4/19/13		AKIKO YORIZANE , Executor, is petitioner. Accounting is waived. I & A - \$330,000.00 POH - \$330,000.00 Executor - waives Attorney - \$9,600.00 (statutory) Distribution, pursuant to Decedent's Will, is to: Akiko Yorizane, as Successor Trustee of the Takashi Yorizane Trust – 100% of real property.	NEEDS/PROBLEMS/COMMENTS:
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail W/O		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters 9/15/13		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
		Reviewed by: KT Reviewed on: 2/28/14 Updates: SUBMITTED Recommendation: File 9 – Yorizane	

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

Age: 59 years		<p>THERE IS NO TEMPORARY. No temporary was requested.</p> <p>PUBLIC GUARDIAN is petitioner and requests appointment as conservator of the person with medical consent and dementia powers to place the conservatee in a secured perimeter facility and administer dementia medications.</p> <p>Voting rights affected.</p> <p>Petitioner states the proposed conservatee's primary diagnosis is dementia. There are no family and friends willing or able to help care for the proposed conservatee therefore the Public Guardian is seeking appointment as conservator.</p> <p>Court Investigator JoAnn Morris' Report filed on 2/19/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Voting Rights Affected. Need Minute Order.</p>	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			<p>Reviewed by: KT</p> <p>Reviewed on: 2/28/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 – Beagle</p>	

**Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob.
C. 8002, 10450)**

DOD: 07/24/2011		PAT DESANTIS , is petitioner and requests appointment as administrator with bond set at \$68,000.00.	NEEDS/PROBLEMS/COMMENTS: 1. Petitioner is not listed on #8 of the petition as required and it is unclear what the relationship is to the decedent. 2. Need proof of service of Notice of Petition to Administer Estate on: <ul style="list-style-type: none"> Consulate of Italy pursuant to Probate Code §8113 which states if a citizen of a foreign country dies without leaving a will or leaves a will without naming an executor, or if it appears that property will pass to a citizen of a foreign county, notice shall be given to a recognized diplomatic or consular official of the foreign county maintaining an office in the United States. Note: If the petition is granted status hearings will be set as follows: <ul style="list-style-type: none"> Friday, 04/04/2014 at 9:00a.m. in Dept. 303 for the filing of the bond <u>and</u> Friday, 08/01/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> Friday, 05/01/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
Cont. from		Surviving spouse nominates petitioner.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	All heirs waive bond.	
<input type="checkbox"/>	PTC	Decedent died intestate	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Residence: Milan, Italy with real property in Clovis, Ca. Publication: The Business Journal	
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input checked="" type="checkbox"/>	Aff.Pub.	Real property \$68,000.00	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	Probate Referee: Steven Diebert	
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Reviewed by: LV			
Reviewed on: 02/28/2014			
Updates:			
Recommendation:			
File 11 – Di Donna			

Atty Blanco, Sr., Gerard Alfred (Pro Per Petitioner, maternal grandfather)

Atty Blanco, Elizabeth (Pro Per Petitioner, maternal grandmother)

Petition for Termination of Guardianship

Age: 8 months		<p>GERARD A. BLANCO and ELIZABETH M. BLANCO, maternal grandparents appointed as Co-Guardians on 11/4/2013, are Petitioners.</p> <p>Father: UNKNOWN</p> <p>Mother: MARITSSA PADILLA</p> <p>Paternal grandfather: Unknown; <i>Court dispensed with further notice on 11/4/2013.</i></p> <p>Paternal grandmother: Unknown; <i>Court dispensed with further notice on 11/4/2013.</i></p> <p>Maternal grandfather: Hector Padilla, Sr.; <i>Court dispensed with further notice on 11/4/2013.</i></p> <p>Petitioner states the child's cousins, Joey and Irene Avila, have shown a great amount of love for Elias, and have voluntarily chosen to babysit on several occasions and have even taken him to their home on weekends. Petitioners state that the Avilas have raised two wonderful daughters, are emotionally and financially stable, and are a loving family that has shown great interest in adopting Elias and making him part of their family.</p> <p>Court Investigator Julie Negrete's Report was filed on 2/14/2014.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Page 12B</u> is the <i>Petition for Appointment of [Successor] Guardianship</i> of this child filed by his cousins, Joey Avila and Irene Avila.</p> <p>Note: Petitioners Gerard Blanco and Elizabeth Blanco remain Co-Guardians of this child's siblings, Efren Barragan, Jr., Annalysia Barragan, and Adan Barragan.</p> <p>1. Need <i>Notice of Hearing</i> and proof of service by mail of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Termination of Guardianship</i>, or <i>Consent to Termination</i> and <i>Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i>, for:</p> <ul style="list-style-type: none"> • Martissa Padilla, mother; • Unknown father. <p>Note: File contains the following documents prepared by the Examiner:</p> <p>1. <i>Order Terminating Guardianship</i>, for the Court's signature;</p> <p>2. <i>Amended Letters of Guardianship</i> to be issued if the <i>Petition</i> is granted, which no longer contain Elias Padilla's name, and only the names of the children who remain under Petitioners' care.</p>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
✓	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			X
<input type="checkbox"/>	Aff.Mail			X
<input type="checkbox"/>	Aff.Pub.			
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<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
✓	CI Report			
<input type="checkbox"/>	9202			
✓	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Reviewed by: LEG
Reviewed on: 2/28/14
Updates:
Recommendation:
File 12A – Padilla

12A

Pro Per Avila, Joey Bryan (Pro Per Petitioner, spouse of maternal cousin)

Pro Per Avila, Irene (Pro Per Petitioner, maternal cousin)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 8 months		NO TEMPORARY REQUESTED		NEEDS/PROBLEMS/COMMENTS:	
		JOEY BRYAN AVILA and IRENE AVILA, maternal cousins, are Petitioners.		<p>2. If Court does not find due diligence per Declaration of Due Diligence filed 1/3/2014 for the mother and filed 2/28/2014 for the father, need proof of personal service of Notice of Hearing with a copy of the Petition for Appointment of Guardian, or Consent to Appointment of Guardian for:</p> <ul style="list-style-type: none"> • Maritssa Padilla, mother; Declaration of Due Diligence filed 1/3/2014. • Unknown father; Declaration of Due Diligence filed 2/28/2014. 	
Cont. from		GERARD A. BLANCO and ELIZABETH M. BLANCO, maternal grandparents appointed as Co-Guardians on 11/4/2013. Consent and waiver of notice filed 1/3/2014.			
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
	Notice of Hrg	X			
	Aff.Mail				
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	X			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				

Reviewed by: LEG

Reviewed on: 2/28/14

Updates: 3/3/14

Recommendation:

File 12B – Padilla

12B

and Melina Alazay Alcocer (GUARD/P)

Atty Negrette, J. Jesus Alcocer (Pro Per – Paternal Grandfather – Petitioner)

Atty Alcocer, Teresita Granados (Pro Per – Paternal Grandmother – Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Alexander, age 9		TEMPORARY EXPIRES 03/05/2014	NEEDS/PROBLEMS/COMMENTS:
Antonio Jr., age 10			
Melina, age 8		J. JESUS ALCOCER NEGRETTE and TERESITA GRANADOS ALCOCER, Paternal Grandparents, are Petitioners.	1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Jasmin Arreola (Mother)
Cont. from 010814			
	Aff.Sub.Wit.	Father: ANTONIO ALCOCER , Court dispensed with notice pursuant to minute order of 01/08/2014 Mother: JASMIN ARREOLA	2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with the a copy of the Petition for Appointment of Guardian or consent and waiver of notice for: <ul style="list-style-type: none"> Maternal Grandfather (Unknown) – Unless the Court dispenses with notice
✓	Verified		
	Inventory	Maternal Grandparents: Unknown, Declaration of Due Diligence filed 12/30/2013	Note: Declaration of Due Diligence filed on 12/30/2013 with an attachment from Jasmin Arreola which states her mother's name is Mariana Arreola Rivera, she passed away when she was five years old. She states she was not claimed by her father and does not know who he is. <ul style="list-style-type: none"> Maternal Grandmother (Unknown) – Unless the Court dispenses with notice
	PTC		
	Not.Cred.	Petitioners state they need guardianship because the school and the doctor are asking legal paperwork. The parents have abandoned the children. The mother is currently in Mexico with a different mate and was neglecting the children. The father left and they have not heard from him in six years. According to the UCCJEA, the minors have lived with Petitioners since 2010.	Note: Declaration of Due Diligence filed on 12/30/2013 with an attachment from Jasmin Arreola which states her mother's name is Mariana Arreola Rivera, she passed away when she was five years old. She states she was not claimed by her father and does not know who he is.
✓	Notice of Hrg		
✓	Aff.Mail	Petitioners request the Court excuse notice to the parents because the father is nowhere to be found and the mother is in Mexico and is willing to sign the guardianship.	
	Aff.Pub.		
	Sp.Ntc.	Please see additional page	
	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: LV
			Reviewed on: 02/28/2014
			Updates:
			Recommendation:
			File 13 – Alcocer

13(additional page) **Alexander Alcocer, Antonio Alcocer, Jr., Case No. 13CEPR00965
and Melina Alazay Alcocer (GUARD/P)**

Petitioner filed a document entitled “Mother’s Permission for Guardianship” on 11/15/2013:

The attached document is in Spanish with an English translation attached. The translation states the mother consents that the minors travel with their grandparents (petitioners) and states she does not have any problem with the children being in their care.

Additional documentation attached appears to be copies of the mother's federal identification card from Mexico.

Court Investigator Dina Calvillo's report filed 02/25/2014.

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

Age: 30	<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:
	TRINIDAD CHAVEZ MOTA , mother, is Petitioner and requests appointment as Conservator of the Person with medical consent powers.	Court Investigator Advised Rights on 01/15/2014.
Cont. from 012914	Declaration of Christopher Nevantzinis, M.D.	Voting Rights Affected Need Minute Order.
<input type="checkbox"/> Aff.Sub.Wit.	Voting Rights Affected	1. Medical consent powers are not requested at #1g of the Petition but are requested at #9, therefore it is unclear if medical consent is requested.
<input checked="" type="checkbox"/> Verified	Petitioner states: Conservatee is severely disabled, he cannot walk or talk and needs daily care for all his daily routine. Petitioner currently provides a stable home providing for his emotional and daily needs.	2. Dr. Nevantzinis did not initial the Capacity Declaration at #7b as required.
<input type="checkbox"/> Inventory	Court Investigator JoAnn Morris' report filed on 01/17/2014.	3. #4a of the Capacity Declaration not answered as to when Dr. Nevantzinis last saw the proposed conservatee and #4b if the proposed conservatee is under continuing treatment.
<input type="checkbox"/> PTC		4. Need proof of service at least (30) days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Conservator for:
<input type="checkbox"/> Not.Cred.		<ul style="list-style-type: none"> Central Valley Regional Center per Probate Code §1822(e).
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv. w/		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input checked="" type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		Reviewed by: LV
<input type="checkbox"/> Status Rpt		Reviewed on: 03/03/2014
<input type="checkbox"/> UCCJEA		Updates:
<input checked="" type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 14 – Llamas

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 4		<u>TEMPORARY EXPIRES 03/05/14</u>		NEEDS/PROBLEMS/COMMENTS:	
		LISA PEREZ-OLIVER , paternal aunt, is Petitioner.		<p>1. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Guardianship Petition</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:</p> <p>a. Leonard Holguin (father) – Personal service required</p> <p>b. Lynda Pitkin (paternal grandmother)*</p> <p>c. Maternal grandmother*</p> <p>d. Manuel Villa (sibling)*</p> <p>e. Roxanna Villa (sibling)*</p> <p>f. Leonard Holguin, Jr. (sibling)*</p> <p>* Service by mail sufficient.</p> <p>Note: Proof of Service attached to Notice of Hearing for the 03/05/14 hearing filed 01/13/14 is not complete, Leonard Holguin and Lynda Pitkin's names are listed, however nothing else on the proof of service is completed therefore it is unclear whether they were served.</p>	
		Father: LEONARD HOLGUIN			
		Mother: BARBARA VILLA – <i>Declaration of Due Diligence filed 12/31/13 and 01/13/14; Court dispensed with notice on 01/14/14</i>			
		Paternal grandfather: DECEASED Paternal grandmother: LYNDA PITKIN			
		Maternal grandfather: DECEASED Maternal grandmother: UNKNOWN			
		Siblings: LEONARD HOLGUIN, JR. (14), RICHARD HOLGUIN (11), ROXANNA VILLA (17), BOBBY VILLA (7), MANUEL VILLA (20)			
		Petitioner states that both parents are homeless and have drug abuse issues. Neither parent has seen Lanessa since October 2013. It has been an ongoing pattern that Lanessa would stay with Petitioner on and off sometimes for weeks at a time. Petitioner states that Lanessa is not safe around her parents and also needs dental attention badly.			
		Court Investigator Charlotte Bien filed a report on 02/19/14.			
Cont. from					
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
	Aff.Mail		x		
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.		x		
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: JF	
				Reviewed on: 02/28/14	
				Updates:	
				Recommendation:	
				File 15 – Holguin	

Atty Neely, Joel D. (pro per – maternal grandfather/petitioner)

Atty Neely, Sherry L. (pro per – maternal grandmother/Petitioner)

Petition for Appointment of Temporary Guardianship of the Person

Seth, 5	GENERAL HEARING: 04/24/14		NEEDS/PROBLEMS/COMMENTS:
Sylas, 3	JOEL D. NEELY and SHERRY L. NEELY, maternal grandparents are Petitioners.		1. Need proof of <u>personal service</u> at least 5 court days before the hearing of Notice of Hearing with a copy of the Temporary Petition <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: - Alisha Neely (mother) Note: proof of service filed 02/20/14 indicates that Ms. Neely was served by mail; however service by mail is insufficient. Personal service is required.
	Father: JOHNNY RAMOS – Consent & Waiver of Notice filed 02/19/14		
	Mother: ALISHA NEELY – served by mail on 02/20/14		2. Need Duties of Guardian. Note: If temporary guardianship is granted, Letters cannot be issued until Duties of Guardian are filed.
	Paternal grandparents: NOT LISTED		
Cont. from	Petitioners state that the mother abuses drugs and is currently facing criminal charges. The minors have been in Petitioner's primary care for the past year. Their father has not seen the boys in 2.5 years due to a domestic violence restraining order protecting them and the mother. CPS became involved when the mother was recently arrested. Petitioners state that temporary guardianship is necessary so that they can provide a safe and stable home for the boys.		
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
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<input type="checkbox"/> FTB Notice			
			Reviewed by: JF
			Reviewed on: 02/28/14
			Updates:
			Recommendation:
			File 16 – Ramos